



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Cancel Public Hearing Scheduled for July 7, 2010, to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2010/11, and Ordering the Levy and Collection of Assessments

MEETING DATE: July 7, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Cancel the public hearing scheduled for July 7, 2010, to consider resolution adopting the Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2010/11, and ordering the levy and collection of assessments.

BACKGROUND INFORMATION: On April 21, 2010, the contract for Maintenance of the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for fiscal year 2010/11, was awarded to Creative Outdoor Environment, Inc., of Lathrop, in the amount of \$18,447. However, on June 28, 2010, Creative Outdoor Environment withdrew its bid. As a separate action, staff will award the contract to the second low bidder, Dominiguez Landscape Services, Inc., of Sacramento; however, the difference in price between the two contracts will change the Final Engineer's Annual Levy Report.

Since the information in the Engineer's Annual Levy Report that was published when the public hearing was originally set on June 2, 2010, has now changed, staff recommends cancelling the public hearing scheduled for July 7, 2010. As a separate action, the updated Engineer's Annual Levy Report will be provided and a new public hearing will be set.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.


F. Wally Sandelin
Public Works Director

Prepared by Chris Boyer, Junior Engineer
FWS/CB/pmf
cc: City Attorney
Interim Parks and Recreation Director
Deputy Public Works Director - Utilities
NBS

APPROVED:


Konrad Bartlam, Interim City Manager



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

**SUBJECT: PUBLIC HEARING REGARDING INTENTION TO LEVY AND
COLLECT ASSESSMENTS FOR THE LODI CONSOLIDATED
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 FOR FISCAL YEAR 2010111**

**PUBLISH DATE: SATURDAY, JUNE 5, 2010
SATURDAY, JUNE 12, 2010**

LEGAL AD

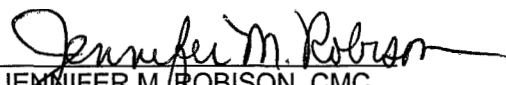
TEAR SHEETS WANTED: One (1) please

**SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052**

RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JUNE 3, 2010

**ORDERED BY: RANDI JOHL
CITY CLERK**


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS	Faxed to the Sentinel at 369-1084 at <u>4pm</u> (time) on <u>6/3/10</u> (date) <u>3</u> (pages)
	Phoned to confirm receipt of all pages at _____ (time) _____ CF _____ MB _____ JMR (initials)



DECLARATION OF POSTING

PUBLIC HEARING REGARDING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1 FOR FISCAL YEAR 2010/11

On Friday, June 4, 2010, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing regarding intention to levy and collect assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for fiscal year 2010/11 (attached and marked as Exhibit A) was posted at the following locations:

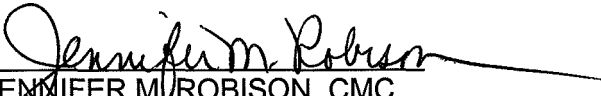
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4, 2010, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

RESOLUTION NO. 2010-81

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS
INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LODI
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 2003-1 FOR FISCAL YEAR 2010/11

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WHEREAS, the City Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1* ("Assessment District"); and

WHEREAS, the City of Lodi has retained NBS Government Finance Group, DBS NBS, for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with 522567 of the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, ~~AS~~ FOLLOW:

1. Intention: The City Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the improvements for the fiscal year commencing July 1, 2010 and ending June 30, 2011. The City Council finds that the public's best interest requires such action.
2. Improvements: The improvements include, but are not limited to: turf, shrubs, plants and trees, landscaping, irrigation and drainage systems, graffiti removal, and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.
3. Assessment District Boundaries: The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the City Clerk, which map is made a part hereof by reference.
4. Annual Report: Reference is made to the Annual Report prepared by NBS, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and zones therein and the proposed assessments upon assessable lots and parcels of land within the Assessment District.
5. Notice of Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with §22629 of the Act. All objections to the assessment, if any, will be considered by the City Council. The Public Hearing will be held on **Wednesday, July 7, 2010, at 7:00 p.m.**, or as soon thereafter as is feasible, in the City Council Chambers located at 305 West Pine Street, Lodi, CA, 95240. The City Council further orders the City Clerk to publish notice of this resolution in accordance with §22626 of the Act.
6. Increase of Assessment: The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in §54954.6 of the Government Code).

Dated: June 2, 2010

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I hereby certify that Resolution No. 2010-81 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 2, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk

CITY COUNCIL

PHIL KATZAKIAN, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
LARRY D. HANSEN
BOB JOHNSON
JOANNE L. MOUNCE

CITY OF LODI

PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

KONRADT BARTLAM
Interim City Manager
RANDI JOHL
City Clerk
D. STEVEN SCHWABAUER
City Attorney
F. WALLY SANDELIN
Public Works Director

July 1, 2010

NBS
32605 Temecula Parkway, Ste. 100
Temecula, CA 92592

SUBJECT: Cancel Public Hearing Scheduled for July 7, 2010, to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2010/11, and Ordering the Levy and Collection of Assessments

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, July 7, 2010. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public **is** given **an** opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Chris Boyer, Junior Engineer, at (209) 333-6800, extension 3321.



for :

F. Wally Sandelin
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk